United Nations A/55/600

General Assembly

Distr.: General
17 November 2000

Original: English

**Fifty-fifth session**
Agenda item 112

# Elimination of racism and racial discrimination

## Report of the Third Committee

*Rapporteur*: Ms. Anzhela **Korneliouk** (Belarus)

## I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled "Elimination of racism and racial discrimination" and to allocate it to the Third Committee.

2. The Third Committee held a substantive debate on the item jointly with item 113, entitled "Right of peoples to self-determination", at its 26th to 30th meetings, from 18 to 20 October 2000, and took action on item 112 at its 32nd, 37th, 44th, 52nd and 54th meetings, on 24 and 26 October and 2, 8 and 10 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/54/SR.26-30, 32, 37, 44, 52 and 54).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Elimination of Racial Discrimination on its fifty-sixth and fifty-seventh sessions;[1]

(b) Report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (A/55/203);

(c) Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (A/55/266);

(d) Report of the Secretary-General on the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 18* and addendum (A/55/18 and Add.1).

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Intolerance and the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/55/285);

(e) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/55/304);

(f) Report of the Commission on Human Rights acting as the preparatory committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on its first session, held from 7 to 5 May 2000 (A/55/307);

(g) Letter dated 5 October 2000 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General, transmitting the ministerial statement adopted at the twenty-fourth annual meeting of the Ministers for Foreign Affairs of the Group of 77, held at United Nations Headquarters on 15 September 2000 (A/55/459).

4. At the 26th meeting, on 18 October, introductory statements were made by the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination and the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance (see A/C.3/54/SR.26).

5. At the same meeting, the Executive Coordinator for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance also made a statement (see A/C.3/54/SR.26).

6. Also at the same meeting, the Committee engaged in a dialogue with the Special Rapporteurs and the Executive Coordinator, in which the representatives of the Libyan Arab Jamahiriya, France, Cuba, Iraq, Angola, Austria, Namibia and Kuwait took part (see A/C.3/54/SR.26).

# II. Consideration of proposals

## A. Draft resolution A/C.3/55/L.24

7. At the 32nd meeting, on 24 October, the representative of Belgium, on behalf of Afghanistan, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, the Gambia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Monaco, Namibia, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "International Convention on the Elimination of All Forms of Racial Discrimination" (A/C.3/55/L.24). Subsequently, Antigua and Barbuda, Bangladesh, Belarus, Benin, Burkina Faso, Cape Verde, the Congo, the Dominican Republic, Fiji, Guatemala, Israel, Lesotho, Liberia, Madagascar, the Marshall Islands, Mongolia, Monaco, New Zealand, Norway, Pakistan, Panama, the Republic of Korea, the Republic of

Moldova, San Marino, Solomon Islands and Togo joined in sponsoring the draft resolution.

8. At its 37th meeting, on 26 October, the Committee adopted draft resolution A/C.3/55/L.24 without a vote (see para. 26, draft resolution I).

## B. Draft resolution A/C.3/55/L.25/Rev.1

9. At the 44th meeting, on 2 November, the representative of Belarus introduced a draft resolution entitled "Measures to be taken against neo-Nazi activities and any ideologies and practices based on racial or ethnic discrimination or superiority" (A/C.3/55/L.25/Rev.1).

10. At the 52nd meeting, on 8 November, Azerbaijan, Cuba, Kazakhstan and the Russian Federation joined in sponsoring the draft resolution.

11. At the same meeting, the representative of Belarus orally revised the text of draft resolution A/C.3/55/L.25/Rev.1 as follows:

(a) The title was revised to read:

"Measures to be taken against political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism";

(b) The fourth preambular paragraph, which had read:

"*Convinced also* that the best bulwark against any ideologies and practices based on racial or ethnic discrimination or superiority, including neo-Nazism, is the establishment and maintenance of an environment, both at the national and international levels, which helps to prevent the formation or development of doctrines of racial or ethnic discrimination or superiority and makes it impossible for them to exist"

was deleted;

(c) In the fifth preambular paragraph, the words "neo-Nazi activities and any ideologies and practices based on racial or ethnic discrimination or superiority" were replaced by the words "political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism";

(d) In the sixth preambular paragraph, the words "ideologies and practices based on racial or ethnic discrimination or superiority" were replaced by the words "political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia";

(e) At the end of the eighth preambular paragraph, the words "to promote racist and xenophobic propaganda aimed at inciting racial hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world" were added;

(f) After the eighth preambular paragraph, a new preambular paragraph was inserted, reading:

"*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance";

(g) In the tenth preambular paragraph (former ninth paragraph), the words "in many parts of the world" were inserted before the words "of doctrines" and the words "racial or ethnic discrimination or superiority" were replaced by the words "racial discrimination or ethnic exclusiveness";

(h) At the end of the last preambular paragraph, the words "in Durban, South Africa, from 31 August to 7 September 2001" were added;

(i) In operative paragraph 1, the words "neo-Nazism and any ideologies and practices based on racial or ethnic discrimination or superiority" were replaced by the words "political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism";

(j) In operative paragraph 2, the words "neo-Nazism and any doctrines based on racial or ethnic discrimination or superiority, and especially their practices" were replaced by the words "such political platforms and activities";

(k) Operative paragraph 3, which had read:

"3. *Affirms* that all States have the obligation to take all available means to combat neo-Nazi and other activities and practices based on racial or ethnic discrimination or superiority";

was replaced by:

"3. *Urges* States to take all available measures in accordance with their obligations under international human rights instruments to combat political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism";

(l) In operative paragraph 4, the words "to fight against neo-Nazism and any ideologies and practices based on racial or ethnic discrimination or superiority" were replaced by the words "oppose political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism";

(m) In operative paragraph 5, the words "to eradicate activities and any dissemination of ideas based on racial or ethnic discrimination or superiority, including neo-Nazism, and any ideologies and practices based on racial or ethnic discrimination or superiority" were replaced by the words "to eradicate activities that lead to violence and condemn any dissemination of ideas based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism" and the word "especially", which appeared before the words "the International Convention on the Elimination of All Forms of Racial Discrimination", was deleted;

(n) In operative paragraph 6, the words "against neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror" were replaced by the words "political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism".

12. At its 52nd meeting, the Committee adopted draft resolution A/C.3/55/L.25/Rev.1, as orally revised, without a vote (see para. 26, draft resolution II).

## C. Draft resolution A/C.3/55/L.26 and L.26/Rev.1

13. At the 37th meeting, on 26 October, the representative of Nigeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Measures to combat contemporary forms of racism and racial discrimination, xenophobia and related intolerance" (A/C.3/55/L.26), which read:

"*The General Assembly*,

"*Recalling* its resolution 54/153 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/14 of 17 April 2000,

"*Stressing* that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 attaches importance to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

"*Convinced* that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

"*Having examined* the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including its conclusions and recommendations,

"*Deeply concerned* that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, and acts of violence persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

"*Particularly alarmed* at the increase in racist violence in some parts of the world, chiefly as a result of resurgent activities of far right, neo-Nazi and skinhead organizations,

"*Deeply concerned* that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

"*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

"*Conscious* of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

"*Reaffirming*, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals residing in their territory against crimes perpetrated by racist or xenophobic individuals or groups,

"*Recognizing* both the challenges and the opportunities in combating racism, racial discrimination, xenophobia and related intolerance in an increasingly globalized world,

"*Noting with concern* that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

"*Deeply concerned* that racism and racial discrimination against migrant workers continue to increase despite the efforts undertaken by the international community to protect the human rights of migrant workers and members of their families,

"*Noting* that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993, concerning article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, holds that the prohibition of the dissemination of ideas based on racial superiority of racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention,

"*Noting also* that the reports that the States parties submit under the Convention contain, inter alia, information about the causes of as well as measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

"*Alarmed* at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large, in particular at the increasing use of far right political platforms to promote or incite racist ideologies,

"*Noting with appreciation* that the Special Rapporteur will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

"*Underlining* the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes, and requires resolute action and cooperation for its eradication,

"*Recognizing* that failure to combat racial discrimination and xenophobia, especially by public authorities and politicians, is a factor encouraging their perpetuation in society,

"*Emphasizing* the importance of creating conditions that foster greater harmony and tolerance within societies,

"1. *Reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

"2. *Calls upon* the relevant United Nations bodies, Member States and intergovernmental and non-governmental organizations to carry out, promote and disseminate activities and action within the framework of the commemorative year in order to strengthen its impact and ensure its success, in particular the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

"3. *Expresses its full support and appreciation* for the work of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, encourages its continuation, and takes note with appreciation of the report of the Special Rapporteur;

"4. *Requests* the Special Rapporteur to continue his exchange of views with Member States, United Nations organs and the specialized agencies, other relevant mechanisms and non-governmental organizations in order to further their effectiveness and mutual cooperation;

"5. *Also requests* the Special Rapporteur to examine the issue of political platforms which promote or incite racial discrimination and the violation of human rights and to submit recommendations thereon to the Preparatory Committee for the World Conference at its second session;

"6. *Welcomes* the recommendation of the Special Rapporteur on the need to hold international consultations at the governmental level with a view to regulating the misuse of the Internet and harmonizing criminal legislation to combat the use of the Internet for racist purposes;

"7. *Commends* the Committee on the Elimination of Racial Discrimination for its role in the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

"8. *Reaffirms* that acts of racist violence against others stemming from racism do not constitute expressions of opinion but rather offences;

"9. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

"10. *Bearing in mind* that States which condone or ignore any dissemination of ideas and materials based on racial superiority or hatred, incitement to racial discrimination or racial hatred, as well as acts of violence or incitement to such acts, against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof, commit a human rights violation;

"11. *Expresses its profound concern* about and unequivocal condemnation of all forms of racism, racial discrimination, xenophobia and related intolerance, in particular all racist violence, including related acts of random and indiscriminate violence;

"12. *Also expresses its profound concern* about and unequivocal condemnation of all forms of racism and racial discrimination, including

propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

"13. *Further expresses its profound concern* about and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against, and stereotyping of, migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

"14. *Expresses deep concern* about the increase in racial and xenophobic violence in many parts of the world, in particular in Europe and North America, as well as the increasing number of associations established on the basis of racist and xenophobic platforms and charters, as reflected in the report of the Special Rapporteur;

"15. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for foreign cultures, peoples and countries;

"16. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

"17. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

"18. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants which are inconsistent with relevant international human rights instruments;

"19. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

"20. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

"21. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

"22. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

"23. *Urges* all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate, including the examination of incidents of contemporary forms of racism and racial discrimination, inter alia, against blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

"24. *Requests* the Secretary-General to provide the Special Rapporteur with all of the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-sixth session."

14. At its 52nd meeting, on 8 November, the Committee had before it revised draft resolution entitled "Measures to combat contemporary forms of racism and racial discrimination, xenophobia and related intolerance" (A/C.3/55/L.26/Rev.1), submitted by the sponsors of draft resolution A/C.3/55/L.26. Subsequently, Albania, Andorra, Austria, Belarus, Belgium, Canada, Croatia, the Democratic People's Republic of Korea, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Spain, Turkey and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the revised draft resolution.

15. At the same meeting, following a statement read out by the Secretary of the Committee in connection with the revised draft resolution, the representative of Canada made a statement (see A/C.3/55/SR.52).

16. Also at the same meeting, the representative of Nigeria, on behalf of the sponsors of the revised draft resolution, orally revised the text as follows:

(a) In the sixth preambular paragraph, the words "extremist organizations, and at the persisting use of political platforms to promote or incite racist ideologies" were replaced by the words "associations established on the basis of racist and xenophobic platforms and charters, as reflected in the report of the Special Rapporteur, and at the persisting use of those platforms and charters to promote or incite racist ideologies";

(b) In the seventeenth preambular paragraph, the words "in particular at the increasing use of far right political platforms to promote or incite racist ideologies", which appeared after the words "society at large", were deleted;

(c) Operative paragraph 10, which had read:

"10. *Urges* States not to condone or ignore any dissemination of ideas and materials based on racial superiority or hatred, which constitute incitement to racial discrimination or racial hatred, as well as acts of violence or incitement to such acts, against any race or group of persons of another colour or ethnic origin, and also not to condone or ignore the provision of any assistance to racist activities, including the financing thereof, thereby contributing to the prevention of human rights violations",

was deleted and the following paragraphs renumbered accordingly;

(d) In operative paragraph 19 (former paragraph 20), the words "thereby contributing to the prevention of human rights violations" were added at the end.

17. At its 52nd meeting, the Committee adopted draft resolution A/C.3/55/L.26/Rev.1, as orally revised, without a vote (see para. 26, draft resolution III).

18. After the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/55/SR.52).

## D. Draft resolution A/C.3/55/L.27/Rev.1

19. At the 37th meeting, on 26 October, the representative of Nigeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" (A/C.3/55/L.27), which read:

"*The General Assembly*,

"*Reaffirming its objectives*, as set forth in the Charter of the United Nations, of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"*Reaffirming also* its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter and the Universal Declaration of Human Rights,

"*Recalling* the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

"*Recalling also* the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and in 1983,

"*Welcoming* the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

"*Stressing* the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

"*Recalling with satisfaction* the proclamation, in its resolution 48/91 of 20 December 1993, of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and the adoption, in its resolution 49/146 of 23 December 1994, of the revised Programme of Action for the Third Decade,

"*Noting with grave concern* that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to the present day to be the victims of varied forms of racism and racial discrimination,

"*Noting with great concern* that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination,

xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase in many parts of the world, in particular in Europe and North America, and that the number of associations established on the basis of racist and xenophobic platforms and charters is increasing, as reflected in the report of the Special Rapporteur,

"*Noting with concern* that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

"*Recognizing* that the promotion of tolerance and respect for cultural diversity is an important factor, among others, in eliminating racism, racial discrimination, xenophobia and related intolerance,

"*Deeply concerned* that technological developments in the field of communications, including the Internet, continue to be utilized by various groups, in particular those advocating racism and racial discrimination and those engaged in violent activity, to promote racist and xenophobic propaganda aimed at inciting hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

"*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

"*Having considered* the report submitted by the Secretary-General within the framework of the implementation of the Programme of Action,

"*Recalling* its resolution 54/154 of 17 December 1999, in which it requested the Secretary-General to include in his report to the General Assembly at its fifty-fifth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action,

"*Recognizing* the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

"*Deeply concerned* that the phenomenon of racism and racial discrimination against migrant workers continues to increase, despite the efforts made by the international community to improve the protection of the human rights of migrant workers and members of their families,

"*Recalling* the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

"*Acknowledging* that indigenous people are at times victims of particular forms of racism and racial discrimination,

"*Stressing* the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

"I

**"Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities**

"1. *Welcomes* the report submitted by the Secretary-General;

"2. *Reaffirms* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism in all its forms and racial discrimination;

"3. *Acknowledges* that States that condone or ignore any dissemination of ideas and materials based on racial superiority or hatred, incitement to racial discrimination or racial hatred and acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof, commit a human rights violation;

"4. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, judicial, administrative, educational and information fields;

"5. *Calls upon* all States resolutely to bring to justice the perpetrators of crimes motivated by racism and calls upon those that have not done so to consider including racist motivation as an aggravating factor for the purposes of sentencing;

"6. *Requests* the United Nations High Commissioner for Human Rights to assign high priority to the follow-up to programmes and activities for combating racism and racial discrimination, consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Racial Intolerance;

"7. *Requests* the Secretary-General in his reports on racism, racial discrimination, xenophobia and related intolerance to accord special attention to and provide information on the situation of migrant workers and members of their families in this regard;

"8. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;

"9. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education;

"10. *Urges* all States that have not yet done so to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to achieve its universal ratification;

"11. *Urges* States to limit the extent of any reservation they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as

possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations on a regular basis with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

"12. *Emphasizes* the importance of the full compliance of States parties with their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination;

"13. *Urges* all States parties to intensify their efforts to meet their obligations under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, with due regard to the principles contained in the Universal Declaration of Human Rights and to article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, with respect to:

"(a) Declaring an offence punishable by law any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination and all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof;

"(b) Declaring illegal and prohibited organizations and organized and all other propaganda activities that promote and incite racial discrimination, and recognizing participation in such organizations or activities as offences punishable by law;

"(c) Not permitting public authorities or public institutions, whether national or local, to promote or incite racial discrimination;

"14. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and different cultures;

"15. *Requests* the Secretary-General to continue to draw attention to the effects of racial discrimination on minorities and migrant workers and members of their families, especially children and women, in the fields of education, training and employment and to submit in his report specific recommendations for the implementation of measures to combat such discrimination;

"16. *Recognizes* the need for adequate support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and the Programme of Action for the Third Decade, and requests the Secretary-General to include in his report to the General Assembly at its fifty-sixth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the regular budget of the United Nations and extrabudgetary sources;

"17. *Expresses its appreciation* to those that have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Fund and, to this end, requests

the Secretary-General to continue to establish the appropriate contacts and undertake the appropriate initiatives;

"18. *Welcomes* the establishment of the racism project team in the Office of the United Nations High Commissioner for Human Rights with a view to coordinating all activities of the Third Decade;

"19. *Urges* all Governments, the Secretary-General, United Nations bodies, the specialized agencies, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

"20. *Requests* States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

"21. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, in particular among young people, and, in this regard, requests the United Nations Educational, Scientific and Cultural Organization to continue its work on the preparation and dissemination of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

"22. *Considers* that, in order to attain the objectives of the Third Decade, all parts of the Programme of Action should be given equal attention;

"23. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action for the Third Decade and, in this regard, to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 2002-2003;

"24. *Also requests* the Secretary-General to continue to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies to combat racism and racial discrimination, containing an analysis of information received on such activities;

"25. *Invites* the Secretary-General to submit to the General Assembly proposals which would assist in the full implementation of the Programme of Action;

"26. *Reiterates its calls upon* all Governments, United Nations bodies, the specialized agencies, intergovernmental and regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

"II

**"World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

"1. *Recalls* its resolutions 52/111 of 12 December 1997 and 53/132 of 9 December 1998, in which it established that the Commission on Human Rights would act as the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolution 54/154, and takes note of Commission on Human Rights resolution 2000/14 of 17 April 2000 and Economic and Social Council resolution 2000/21 of 28 July 2000;

"2. *Takes note* of the report of the Commission on Human Rights acting as the preparatory committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on its first session, held from 1 to 5 May 2000, and welcomes the slogan for the World Conference adopted by the Preparatory Committee, namely, 'United to combat racism: equality, justice, dignity';

"3. *Recommends* that the Preparatory Committee give due consideration to the recommendations of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, contained in his report to the General Assembly at its fifty-fifth session;

"4. *Requests* the Secretary-General to continue to ensure that adequate financial resources are made available for the preparatory process for the World Conference, including from the regular budget of the United Nations;

"5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to make every effort to ensure the mobilization of resources for the voluntary fund for the World Conference to cover the participation of the least developed countries in the preparatory process and in the Conference itself, and requests all Governments, international and non-governmental organizations and private individuals to contribute to the fund;

"6. *Calls upon* the High Commissioner to help States and regional organizations, upon request, to convene and finalize national and regional meetings or to undertake other initiatives, including activities at the expert level, to prepare for the World Conference, and urges the specialized agencies and the regional commissions, in coordination with the High Commissioner, to contribute to the convening of regional preparatory meetings;

"7. *Requests* the Secretary-General, the specialized agencies and the regional commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference;

"8. *Encourages* the widest possible participation of non-governmental organizations in the World Conference and in the sessions of the Preparatory Committee, as well as in the regional meetings, regional expert seminars and other initiatives, including activities at the expert level, held in preparation for the World Conference;

"9. *Welcomes* the offer by the Government of South Africa to host the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance from 31 August to 7 September 2001, and invites the international community to support the host country with financial resources;

"10. *Welcomes* the offers made by the Government of Senegal, the Islamic Republic of Iran and Chile to convene the regional preparatory meetings within the framework of the World Conference at, respectively, Dakar, from 22 to 24 January 2001, Tehran, from 19 to 21 February 2001, and Santiago, from 4 to 7 December 2001, and the convening by the Council of Europe of the regional preparatory meeting at Strasbourg from 11 to 13 October;

"11. *Requests* the High Commissioner:

"(a) To continue and intensify, in her capacity as Secretary-General of the World Conference, the activities already initiated within the framework of the world information campaign with a view to the mobilization and provision of support for the objectives of the World Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors, and to inform the Preparatory Committee of developments in this regard;

"(b) To help States, upon request, and regional organizations to convene national and regional meetings or to take other initiatives, including activities at the expert level, to prepare for the World Conference;

"(c) To undertake appropriate consultations with non-governmental organizations with regard to the possibility that they might hold a forum before and partly during World Conference and, as far as possible, to provide them with technical assistance for that purpose;

"(d) To continue fund-raising activities in order to increase the resources for the voluntary fund established specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental organizations, in particular those from developing countries;

"(e) To identify the political, historical, economic, social and cultural factors and any other factor leading to racism, racial discrimination, xenophobia and related intolerance with a view to achieving a better understanding of and appraising these problems;

"(f) To review the progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to the achievement of further progress in the field and ways in which to overcome them;

"(g) To consider ways and means to ensure better implementation of the standards of the existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

"12. *Requests* to the regional preparatory processes to identify trends, priorities and obstacles at the national and regional levels, and to formulate specific recommendations for the action to be carried out in the future to combat racism, racial discrimination, xenophobia and related intolerance;

"13. *Calls upon* the regional preparatory meetings to submit to the Preparatory Committee, at its second session, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in the texts of the draft final documents of the World Conference, to be prepared by the Committee;

"14. *Invites* Governments to promote the participation of national institutions and local non-governmental organizations in the preparations for the World Conference and in the regional meetings and to organize debates in national parliaments on the objectives of the World Conference;

"15. *Encourages* all parliaments to participate actively in the preparation of the World Conference and requests the High Commissioner to explore ways and means of effectively involving parliaments through the relevant international organizations;

"16. *Decides* that the World Conference should adopt a declaration and a programme of action containing concrete and practical recommendations that, in addition to being aimed at combating racism, racial discrimination, xenophobia and related intolerance through education and criminal prosecution, should consider economic and social measures in favour of people marginalized as a result of present or past discrimination;

"17. *Stresses* the importance of systematically adopting a gender-based approach throughout the preparations for and in the outcome of the World Conference;

"18. *Recommends* that the particular situation of children and youth should receive special attention during the preparations for and during the World Conference, especially in its outcome;

"19. *Welcomes* the decision taken by the Preparatory Committee for the World Conference at its first session on the themes to be included in the provisional agenda for the Conference and requests the Preparatory Committee to finalize a draft declaration and programme of action, taking into account the outstanding issues, all of the themes presented to the Preparatory Committee at its first session and, inter alia, the contributions to be made by the remaining preparatory processes and other relevant initiatives;

"20. *Decides* to establish an inter-sessional working group which will meet for five working days to develop further the draft agenda and the draft declaration and programme of action for the World Conference;

"21. *Also decides* to allocate five additional working days to the Preparatory Committee for its second session;

"22. *Appeals* to Member States to contribute generously to the voluntary fund for the World Conference to cover the preparatory process and the Conference and the participation of non-governmental organizations from developing countries;

"23. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-

governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur of the Commission on Human Rights on the human rights of migrants and other human rights mechanisms to participate actively in the preparatory process with a view to ensuring the success of the World Conference and to coordinate their activities in this regard with the assistance of the High Commissioner;

"24. *Calls upon* States and regional organizations to continue the process of convening national and regional meetings or taking other initiatives, such as public information campaigns, to raise awareness of the World Conference as part of the preparations for the Conference;

**"III**

**"Proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

"1. *Strongly reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and in this context calls upon Governments, all relevant entities of the United Nations system and non-governmental organizations to observe the International Year in a suitable manner, including by means of programmes of action;

"2. *Emphasizes* that the activities to be implemented within the framework of the International Year should be directed towards the preparation of the World Conference and the realization of its objectives;

**"IV**

**"General**

"*Decides* to keep the item entitled 'Elimination of racism and racial discrimination' on its agenda and to consider it as a matter of high priority at its fifty-sixth session."

20. At its 54th meeting, on 10 November, the Committee had before it a revised draft resolution entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" (A/C.3/55/L.27/Rev.1), submitted by the sponsors of draft resolution A/C.3/55/L.27, which read:

"*The General Assembly*,

"*Reaffirming its objectives*, as set forth in the Charter of the United Nations, of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"*Reaffirming also* its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination and its conviction that racism and racial discrimination constitute a total negation

of the purposes and principles of the Charter and the Universal Declaration of Human Rights,

"*Recalling* the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

"*Noting* the efforts of the Committee on Elimination of Racial Discrimination since its establishment in 1970 to promote the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,

"*Recalling also* the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and in 1983,

"*Welcoming* the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

"*Stressing* the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

"*Recalling with satisfaction* the proclamation, in resolution 48/91 of 20 December 1993, of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and the adoption, in resolution 49/146 of 23 December 1994, of the revised Programme of Action for the Third Decade,

"*Noting with grave concern* that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to the present day to be the victims of varied forms of racism and racial discrimination,

"*Noting with great concern* that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase in many parts of the world, and that the number of associations established on the basis of racist and xenophobic platforms and charters is increasing, as reflected in the report of the Special Rapporteur,

"*Deeply concerned* that, despite continuing efforts, contemporary forms of racism and racial discrimination, many forms of discrimination against, inter alia, blacks, Arabs, Muslims and Christians, xenophobia, Negrophobia, anti-Semitism and related intolerance persist or are even growing in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

"*Noting with concern* that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

"*Recognizing* that the promotion of tolerance and respect for cultural diversity is an important factor, among others, in eliminating racism, racial discrimination, xenophobia and related intolerance,

"*Alarmed* that technological developments in the field of communications, including the Internet, continue to be utilized by various groups, engaged in violent activity to promote racist and xenophobic propaganda aimed at inciting racial hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

"*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

"*Having considered* the report submitted by the Secretary-General within the framework of the implementation of the Programme of Action,

"*Recalling* its resolution 54/154 of 17 December 1999, in which it requested the Secretary-General to include in his report to the General Assembly at its fifty-fifth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action,

"*Recognizing* the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

"*Remaining firmly convinced* of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

"*Deeply concerned* that the phenomenon of racism and racial discrimination against migrant workers continues to increase, despite the efforts made by the international community to improve the protection of the human rights of migrant workers and members of their families,

"*Recalling* the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

"*Acknowledging* that indigenous people are at times victims of particular forms of racism and racial discrimination,

"*Noting* with concern the existence of multiple discrimination, in particular against women,

"*Stressing* the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

"I

**"Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities**

"1. *Welcomes* the report submitted by the Secretary-General;

"2. *Reaffirms* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism in all its forms and racial discrimination;

"3. *Urges* States not to condone or ignore any dissemination of ideas and materials based on racial superiority or hatred, which constitutes incitement to racial discrimination or racial hatred as well as acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also not to condone or ignore the provision of any assistance to racist activities, including the financing thereof, thereby contributing to the prevention of human rights violations;

"4. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, judicial, administrative, educational and information fields;

"5. *Calls upon* all States resolutely to bring to justice the perpetrators of crimes motivated by racism and calls upon those that have not done so to consider including racist motivation as an aggravating factor for the purposes of sentencing;

"6. *Requests* the United Nations High Commissioner for Human Rights to assign high priority to the follow-up to programmes and activities for combating racism and racial discrimination, consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Racial Intolerance;

"7. *Requests* the Secretary-General in his reports on racism, racial discrimination, xenophobia and related intolerance to accord special attention to and provide information on the situation of migrant workers and members of their families in this regard;

"8. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;

"9. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Discrimination in Education;

"10. *Urges* all States that have not yet done so to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to achieve its universal ratification;

"11. *Urges* States to limit the extent of any reservation that they lodge to the International Convention on the Elimination of All Forms of Racial

Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations on a regular basis with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

"12. *Emphasizes* the importance of the full compliance of States parties with their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination;

"13. *Urges* all States parties to intensify their efforts to meet their obligations under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, with due regard to the principles contained in the Universal Declaration of Human Rights and to article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, with respect to:

"(a) Declaring an offence punishable by law any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination and all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof;

"(b) Declaring illegal and prohibited organizations and organized and all other propaganda activities that promote and incite racial discrimination, and recognizing participation in such organizations or activities as offences punishable by law;

"(c) Not permitting public authorities or public institutions, whether national or local, to promote or incite racial discrimination;

"14. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and different cultures;

"15. *Requests* the Secretary-General to continue to draw attention to the effects of racial discrimination on minorities and migrant workers and members of their families, especially children and women, in the fields of education, training and employment and to submit in his report specific recommendations for the implementation of measures to combat such discrimination;

"16. *Recognizes* the need for adequate support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and the Programme of Action for the Third Decade, and requests the Secretary-General to include in his report to the General Assembly at its fifty-sixth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the regular budget of the United Nations and extrabudgetary sources;

"17. *Expresses its appreciation* to those that have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a

position to do so to contribute generously to the Fund, and to this end, requests the Secretary-General to continue to establish the appropriate contacts and undertake the appropriate initiatives;

"18. *Welcomes* the establishment of the racism project team in the Office of the United Nations High Commissioner for Human Rights with a view to coordinating all activities of the Third Decade;

"19. *Urges* all Governments, the Secretary-General, United Nations bodies, the specialized agencies, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

"20. *Requests* States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

"21. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, in particular among young people, and in this regard requests the United Nations Educational, Scientific and Cultural Organization to continue its work on the preparation and dissemination of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

"22. *Considers* that, in order to attain the objectives of the Third Decade, all parts of the Programme of Action should be given equal attention;

"23. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action for the Third Decade and, in this regard, to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 2002-2003;

"24. *Also requests* the Secretary-General to continue to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies to combat racism and racial discrimination, containing an analysis of information received on such activities;

"25. *Invites* the Secretary-General to submit to the General Assembly proposals which would assist in the full implementation of the Programme of Action;

"26. *Reiterates its calls upon* all Governments, United Nations bodies, the specialized agencies, intergovernmental and regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

"II

**"World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

"1. *Recalls* its resolutions 52/111 of 12 December 1997 and 53/132 of 9 December 1998, in which it established that the Commission on Human Rights would act as the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolution 54/154, and takes note of Commission on Human Rights resolution 2000/14 of 17 April 2000 and Economic and Social Council resolution 2000/21 of 28 July 2000;

"2. *Welcomes* the slogan for the World Conference adopted by the Preparatory Committee, namely, 'United to combat racism: equality, justice, dignity';

"3. *Also welcomes* the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and recommends that the Preparatory Committee for the World Conference give due consideration to the recommendations and suggestions contained therein;

"4. *Requests* the Secretary-General to continue to ensure that adequate financial resources are made available for the preparatory process for the World Conference, including from the regular budget of the United Nations;

"5. *Also requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to make every effort to ensure the mobilization of resources for the voluntary fund for the World Conference to cover the participation of the least developed countries in the preparatory process and in the Conference itself, and requests all Governments, international and non-governmental organizations and private individuals to contribute to the fund;

"6. *Calls upon* the High Commissioner to help States and regional organizations, upon request, to convene and finalize inclusive national and regional meetings, in close consultation with the regional groups concerned, or to take other initiatives, including activities at the expert level, to prepare for the World Conference, and urges the specialized agencies and the regional commissions, in coordination with the High Commissioner, to contribute to the convening of regional preparatory meetings;

"7. *Requests* the Secretary-General, the specialized agencies and the regional commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference, and stresses that such assistance should be supplemented by voluntary contributions;

"8. *Stresses the importance* of the widest possible participation of non-governmental organizations in the World Conference and the sessions of the Preparatory Committee, as well as in the regional meetings, regional expert seminars and other initiatives, including activities at the expert level, held in preparation for the World Conference;

"9. *Decides* to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at Durban, South Africa, from 31 August to 7 September 2001;

"10. *Welcomes* the holding by the Council of Europe of the regional preparatory meeting at Strasbourg, France, from 11 to 13 October 2000, and the offers made by the Governments of Chile, Senegal and the Islamic Republic of Iran to convene regional preparatory meetings, within the framework of the World Conference, at, respectively, Santiago, from 4 to 7 December 2000, Dakar, from 22 to 24 January 2001, and Tehran, from 19 to 21 February 2001;

"11. *Requests* the High Commissioner:

"(a) To help States, upon request, and regional organizations to convene national and regional meetings or to take other initiatives, including activities at the expert level, to prepare for the World Conference;

"(b) To undertake appropriate consultations with non-governmental organizations on the possibility that they might hold a forum before and partly during the World Conference and, as far as possible, to provide them with technical assistance for that purpose;

"(c) To continue fund-raising activities in order to increase the resources of the voluntary fund established specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental organizations, in particular those from developing countries, with special emphasis on those from least developed countries;

"11 bis. *Also requests* the High Commissioner, in her capacity as Secretary-General of the World Conference, to continue and intensify the activities already initiated within the framework of the world information campaign with a view to ensuring mobilization and support for the objectives of the World Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors, to inform the Preparatory Committee of developments in this regard and to assist the Preparatory Committee in:

"(a) Reviewing the political, historical, economic, social, cultural and any other factors leading to racism, racial discrimination, xenophobia and related intolerance with a view to reaching a better understanding of and appraising these problems;

"(b) Reviewing progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways in which to overcome them;

"(c) Considering ways and means to better the application of existing standards and the implementation of existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

"(d) To increase the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance;

"(e) To formulate concrete recommendations on ways in which to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

"(f) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

"12. *Requests* the regional preparatory processes to identify trends, priorities and obstacles at the national and regional levels, and to formulate specific recommendations for the action to be carried out in the future to combat racism, racial discrimination, xenophobia and related intolerance;

"13. *Calls upon* the regional preparatory meetings to submit to the Preparatory Committee, at its second session, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in the texts of the draft final documents of the World Conference, to be prepared by the Committee;

"14. *Invites* Governments to promote the participation of national institutions and local non-governmental organizations in the preparations for the World Conference and in the regional meetings and to organize debates in national parliaments on the objectives of the World Conference;

"15. *Encourages* all parliaments to participate actively in the preparation of the World Conference and requests the High Commissioner to explore ways and means of effectively involving parliaments through the relevant international organizations;

"16. *Reiterates* that the World Conference should be action-oriented and adopt a declaration and a programme of action containing concrete and practical recommendations to combat racism, racial discrimination, xenophobia and related intolerance;

"17. *Stresses* the importance of systematically taking a gender perspective into account throughout the preparations for and in the outcome of the World Conference;

"18. *Recommends* that the particular situation of children and youth should receive special attention during the preparations for and during the World Conference, especially in its outcome;

"18 *bis*. *Encourages* Governments to that end and to further ensure the engagement of youth on the broader issues of racism, racial discrimination, xenophobia and related intolerance, to include youth delegates on their official delegations to the World Conference and its preparatory processes;

"18 *ter*. *Recommends* that special attention be accorded during the preparations for and during the World Conference itself, especially in its outcome, to the particular situation of migrants;

"18 *quater*. *Also recommends* that the particular situation of indigenous people receive special attention during the preparations for and during the

World Conference itself, especially in its outcome, and encourages Member States to facilitate the participation of their indigenous people, inter alia, by considering including representatives of indigenous people on their delegations;

"19. *Welcomes* the report of the Commission on Human Rights acting as the preparatory committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on its first session, and requests the Preparatory Committee to develop in a comprehensive manner a provisional agenda, a draft declaration and a draft programme of action for the World Conference, taking into account the themes as adopted and all the outstanding issues from its first session as covered in the report, as well as the contributions of all of the regional preparatory processes and other relevant initiatives;

"20. *Decides* to establish an inter-sessional working group which will meet for five working days to develop further the draft agenda, draft declaration and draft programme of action for the World Conference;

"21. *Also decides* to authorize the Preparatory Committee to extend its second session for up to five additional working days;

"22. *Appeals* to Member States to contribute generously to the voluntary fund for the World Conference to cover the preparatory process and the Conference and the participation of non-governmental organizations from developing countries;

"23. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur of the Commission on Human Rights on the human rights of migrants and other human rights mechanisms to participate actively in the preparatory process with a view to ensuring the success of the World Conference and to coordinate their activities in this regard with the assistance of the High Commissioner;

"24. *Calls upon* States and regional organizations to continue the process of convening national and regional meetings or undertaking other initiatives, such as public information campaigns, to raise awareness of the World Conference as part of the preparations for the Conference;

**"III**

**"Proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

"1. *Strongly reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and in this context calls upon Governments, all relevant entities of the United Nations system and non-governmental organizations to observe the International Year in a suitable manner, including through programmes of action;

"2. *Emphasizes* that the activities to be implemented within the framework of the International Year should be directed towards the preparation of the World Conference and the realization of its objectives;

**"IV**
**"General**

"*Decides* to keep the item entitled 'Elimination of racism and racial discrimination' on its agenda and to consider it as a matter of high priority at its fifty-sixth session."

21. At the same meeting, the representative of Nigeria, on behalf of the sponsors, orally revised the text as follows:

(a) Operative paragraph 3 of section I was replaced by:

"3. *Recognizes* that Governments implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations";

(b) In operative paragraph 12 of section I, the words "their obligations" were replaced by the words "the obligations that they have accepted";

(c) In operative paragraph 13 of section I, the words "their efforts to meet their obligations" were replaced by the words "efforts to meet the obligations that they have accepted";

(d) In operative paragraph 23 (former paragraph 19) of section II, the words "a provisional agenda, a draft declaration and a draft programme of action" were replaced by the words "the provisional agenda, the draft declaration and the draft programme of action";

(e) In operative paragraph 28 (former paragraph 24) of section II, the word "inclusive" was inserted before the words "national and regional meetings".

Subsequently, Australia, Austria, Belgium, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Kazakhstan, Luxembourg, Mexico, Monaco, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the revised draft resolution, as orally revised.

22. Also at the same meeting, the Secretary of the Committee read out a statement on the conference-servicing implications of revised draft resolution A/C.3/55/L.27/Rev.1.

23. At its 54th meeting, the Committee adopted revised draft resolution A/C.3/55/L.27/Rev.1, as orally revised, without a vote (see para. 26, draft resolution IV).

24. Before the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/55/SR.54).

## E. Draft decision A/C.3/55/L.63

25. At its 52nd meeting, on 8 November, on the proposal of the Chairperson (A/C.3/55/L.63), the Committee adopted a decision concerning the report of the Committee on the Elimination of Racial Discrimination[1] (see para. 27).

# III. Recommendations of the Third Committee

26. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

### Draft resolution I
### International Convention on the Elimination of All Forms of Racial Discrimination

*Recalling* its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[2] most recently resolution 53/131 of 9 December 1998,

*Bearing in mind* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

*Reiterating* the need to intensify the struggle to eliminate all forms of racial discrimination throughout the world, especially its most brutal forms,

*Recalling* its resolution 52/111 of 12 December 1997, in which it decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance no later than 2001,

*Recalling also* its resolution 53/132 of 9 December 1998, in which it decided to observe 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

*Taking note* of Commission on Human Rights resolution 2000/14 of 17 April 2000 on racism, racial discrimination, xenophobia and related intolerance,[4]

*Reiterating* the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

*Stressing* the importance of achieving universal ratification of the Convention which will contribute to the fight against racism and racial discrimination,

*Mindful* of the importance of the contributions of the Committee to the effective implementation of the Convention and to the efforts of the United Nations

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[2] Resolution 2106 A (XX), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

*Noting* that the reports submitted by States parties under the Convention contain, inter alia, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

*Emphasizing* the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

*Recalling* its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,[5] to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

*Stressing* the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

## I
## Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its fifty-fourth and fifty-fifth[6] and fifty-sixth and fifty-seventh sessions,[7] respectively;

2. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[2] especially the examination of reports under article 9 and action on communications under article 14 of the Convention, which contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the

[5] See CERD/SP/45, annex.

[6] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 18* and addendum (A/54/18 and Add.1).

[7] Ibid., *Fifty-fifth Session, Supplement No. 18* and addendum (A/55/18 and Add.1).

Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Commends* the Committee for its continuing contribution to the prevention of racial discrimination and welcomes its relevant action thereon;

7. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[8] including by continuing to cooperate and exchange information with United Nations bodies and mechanisms and intergovernmental organizations, in particular with the Subcommission on the Promotion and Protection of Human Rights and with the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as with non-governmental organizations;

8. *Encourages* States parties to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

9. *Takes note with interest* of the contributions by the Committee to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including undertaking a series of studies, making suggestions for the agenda and draft programme of action for the World Conference, and preparing assessment of the best practices of States parties in combating racial discrimination;

10. *Invites* the Committee to continue to participate actively in the preparatory process for the World Conference and at the Conference itself;

11. *Encourages* all States, relevant United Nations bodies, international and regional organizations and non-governmental organizations to draw attention to the Convention and to the work of the Committee during the information and awareness-raising campaign for the World Conference and the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

## II
## Financial situation of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[9]

2. *Expresses its profound concern* about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

3. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention

[8] Resolution 49/146, annex.
[9] A/55/266.

concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[5] endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

4. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

5. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-seventh session;

**III**

**Status of the International Convention on the Elimination of All Forms of Racial Discrimination**

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[10]

2. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto, which now stands at one hundred and fifty-six;

3. *Reaffirms once again its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

4. *Urges* all States that have not yet become parties to the Convention to ratify it or accede thereto as soon as possible, having in mind the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa, from 31 August to 7 September 2001;

5. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

6. *Requests* the States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

7. *Decides* to consider, at its fifty-seventh session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination on its fifty-eighth and fifty-ninth and its sixtieth and sixty-first sessions, respectively, the report of the Secretary-General on

[10] A/55/203.

the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

## Draft resolution II
## Measures to be taken against political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism

*The General Assembly,*

*Recalling* that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the people expressed their resolve in the Charter of the United Nations to save succeeding generations from the scourge of war,

*Aware* of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

*Convinced* that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

*Noting with appreciation* the efforts undertaken by various regional organizations against political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism,

*Noting with regret* that in the contemporary world there continue to exist various manifestations of neo-Nazi activities, as well as other political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, which entail contempt for the individual or a denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in the civil, political, economic and social and cultural spheres and in social justice,

*Deeply alarmed* at the recent intensification of activities of neo-Nazi groups and organizations,

*Noting with concern* the widening use by such groups and organizations of the opportunities provided by scientific and technological progress, including the Internet global computer network, to promote racist and xenophobic propaganda aimed at inciting racial hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

*Expressing its serious concern* at the rise of doctrines based on racial or ethnic exclusiveness and at the growing coordination of their activities in societies at large,

*Recalling* its resolutions 2331 (XXII) of 18 December 1967, 2545 (XXIV) of 11 December 1969, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983, 39/114 of 14 December 1984, 41/160 of 4 December 1986 and 43/150 of 8 December 1988,

*Recalling also* Commission on Human Rights resolutions 1983/28 of 7 March 1983,[11] 1984/42 of 12 March 1984,[12] 1985/31 of 13 March 1985,[13] 1986/61 of 13 March 1986,[14] 1988/63 of 10 March 1988[15] and 1990/46 of 6 March 1990,[16]

*Taking into consideration* the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[17]

*Welcoming* the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, from 31 August to 7 September 2001,

1. *Again resolutely condemns* political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism, which entail abuse of human rights and fundamental freedoms;

2. *Expresses its determination* to resist such political platforms and activities which can undermine the enjoyment of human rights and fundamental freedoms and of equality of opportunity;

3. *Urges* States to take all available measures in accordance with their obligations under international human rights instruments to combat political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism;

4. *Calls upon* all Governments to promote and encourage, especially among the young, respect for human rights and fundamental freedoms, as well as to promote awareness of and oppose political platforms and activities based on doctrines of superiority which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism;

5. *Urges* all States to consider the adoption, as a matter of high priority, of appropriate measures to eradicate activities that lead to violence and condemn any dissemination of ideas based on doctrines of superiority, which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism, consistent with their national legal systems and in accordance with the provisions of the Universal Declaration of Human Rights,[18] the International

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[11] See *Official Records of the Economic and Social Council, 1983, Supplement No. 3* (E/1983/13), chap. XXVII.A.

[12] Ibid., *1984, Supplement No. 4* (E/1984/14), chap. II.A.

[13] Ibid., *1985, Supplement No. 2* (E/1985/22), chap. II.A.

[14] Ibid., *1986, Supplement No. 2* (E/1986/22), chap. II.A.

[15] Ibid., *1988, Supplement No. 2* (E/1988/12), chap. II.A.

[16] Ibid., *1990, Supplement No. 2* (E/1990/22), chap. II.A.

[17] A/55/304.

[18] Resolution 217 A (III).

Covenants on Human Rights[19] and the International Convention on the Elimination of All Forms of Racial Discrimination;[20]

6. *Requests* the Secretary-General to include in his report to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance information on the measures taken by Member States against political platforms and activities based on doctrines of superiority, which are based on racial discrimination or ethnic exclusiveness and xenophobia, including, in particular, neo-Nazism.

## Draft resolution III
## Measures to combat contemporary forms of racism and racial discrimination, xenophobia and related intolerance

*The General Assembly*,

*Recalling* its resolution 54/153 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/14 of 17 April 2000,[21]

*Stressing* that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[22] attaches importance to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

*Convinced* that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

*Having examined* the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including its conclusions and recommendations,[23]

*Deeply concerned* that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance and acts of violence persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

*Particularly alarmed* at the increase in racist violence in many parts of the world, inter alia, as a result of resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, as reflected in the report of the Special Rapporteur, and at the persisting use of those platforms and charters to promote or incite racist ideologies,

*Deeply concerned* that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

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[19] Resolution 2200 A (XXI), annex.

[20] Resolution 2106 A (XX), annex.

[21] See *Official Records of the Economic and Social Council, 2000, Supplement No. 23* (E/2000/23), chap. II, sect. A.

[22] A/CONF.157/24 (Part I), chap. III.

[23] A/55/304.

*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

*Conscious* of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

*Reaffirming*, in this regard, the responsibility of Governments for safeguarding and protecting the rights of individuals within their jurisdiction against crimes perpetrated by racist or xenophobic individuals or groups,

*Recognizing* both the challenges and the opportunities in combating racism, racial discrimination, xenophobia and related intolerance in an increasingly globalized world,

*Noting with concern* that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

*Deeply concerned* that racism and racial discrimination against migrant workers continue to increase despite the efforts undertaken by the international community to protect the human rights of migrant workers and members of their families,

*Noting* that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[24] concerning article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[25] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[26] and in article 5 of the Convention,

*Noting also* that the reports that the States parties submit under the Convention contain, inter alia, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

*Noting with concern* the existence of multiple discrimination, in particular against women,

*Particularly alarmed* at the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

*Noting with appreciation* that the Special Rapporteur will continue to pay attention to the rise of racist and xenophobic ideas in political circles, in the sphere of public opinion and in society at large,

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[24] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

[25] Resolution 2106 A (XX), annex.

[26] Resolution 217 A (III).

*Underlining* the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes, and requires resolute action and cooperation for its eradication,

*Recognizing* that failure to combat racial discrimination and xenophobia, especially by public authorities and politicians, is a factor encouraging their perpetuation in society,

*Emphasizing* the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance;[27]

2. *Calls upon* the relevant United Nations bodies, Member States and intergovernmental and non-governmental organizations to carry out, promote and disseminate activities and action within the framework of the commemorative year in order to strengthen its impact and ensure its success, in particular the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

3. *Expresses its full support and appreciation* for the work of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, encourages its continuation, and takes note with appreciation of the report of the Special Rapporteur;[23]

4. *Requests* the Special Rapporteur to continue his exchange of views with Member States, United Nations organs and the specialized agencies, other relevant mechanisms and non-governmental organizations in order to further their effectiveness and mutual cooperation;

5. *Endorses* the request by the Commission on Human Rights to the Special Rapporteur[28] to examine the issue of political platforms which promote or incite racial discrimination and the violation of human rights and to submit recommendations thereon to the Preparatory Committee for the World Conference at its second session;

6. *Welcomes* the recommendation of the Special Rapporteur on the need to hold international consultations at the governmental level with a view to combating the misuse of the Internet for racist purposes, and stresses the importance of international law enforcement cooperation in this area;

7. *Commends* the Committee on the Elimination of Racial Discrimination for its role in the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[25] which contributes to the fight against contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

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[27] Resolution 53/132, sect. III.

[28] *Official Records of the Economic and Social Council, 2000, Supplement No 23* (E/2000/23), chap. II, sect. A, resolution 2000/14.

8. *Reaffirms* that acts of racist violence against others stemming from racism do not constitute expressions of opinion but rather offences;

9. *Declares* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

10. *Expresses its profound concern* about and unequivocal condemnation of all forms of racism, racial discrimination, xenophobia and related intolerance, in particular all racist violence, including related acts of random and indiscriminate violence;

11. *Also expresses its profound concern* about and unequivocal condemnation of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

12. *Further expresses its profound concern* about and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against, and stereotyping of, migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

13. *Notes with great concern* that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and other related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase in many parts of the world, and that the number of associations established on the basis of racist and xenophobic charters is increasing, as reflected in the report of the Special Rapporteur of the Commission on Human Rights;

14. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for foreign cultures, peoples and countries;

15. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

16. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

17. *Calls upon* all States to review and, where necessary, revise their immigration policies with a view to eliminating all discriminatory policies and practices against migrants that are inconsistent with relevant international human rights instruments;

18. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

19. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

20. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

21. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

22. *Urges* all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate, including the examination of incidents of contemporary forms of racism and racial discrimination, inter alia, against blacks, Arabs and Muslims, xenophobia, Negrophobia, anti-Semitism and related intolerance;

23. *Requests* the Secretary-General to provide the Special Rapporteur with all of the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-sixth session.

## Draft resolution IV
## Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

*The General Assembly*,

*Reaffirming* its objectives, as set forth in the Charter of the United Nations, of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Reaffirming also* its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter and the Universal Declaration of Human Rights,[29]

*Recalling* the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[30] and the Convention against Discrimination in Education,[31] adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,

*Noting* the efforts of the Committee on Elimination of Racial Discrimination since its establishment in 1970 to promote the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,

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[29] Resolution 217 A (III).

[30] Resolution 2106 A (XXX), annex.

[31] United Nations, *Treaty Series*, vol. 429, No. 6193.

*Recalling also* the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[32] and in 1983,[33]

*Welcoming* the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[34] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

*Stressing* the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

*Recalling with satisfaction* the proclamation, in resolution 48/91 of 20 December 1993, of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and the adoption, in resolution 49/146 of 23 December 1994, of the revised Programme of Action for the Third Decade,

*Noting with grave concern* that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to the present day to be the victims of varied forms of racism and racial discrimination,

*Noting with great concern* that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase in many parts of the world and that the number of associations established on the basis of racist and xenophobic platforms and charters is increasing, as reflected in the report of the Special Rapporteur,[35]

*Deeply concerned* that, despite continuing efforts, contemporary forms of racism and racial discrimination, many forms of discrimination against, inter alia, blacks, Arabs, Muslims and Christians, xenophobia, Negrophobia, anti-Semitism and related intolerance persist or are even growing in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

*Noting with concern* that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

*Recognizing* that the promotion of tolerance and respect for cultural diversity is an important factor, among others, in eliminating racism, racial discrimination, xenophobia and related intolerance,

*Alarmed* that technological developments in the field of communications, including the Internet, continue to be utilized by various groups engaged in violent activity to promote racist and xenophobic propaganda aimed at inciting racial hatred

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[32] See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

[33] See *Report of the second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum).

[34] A/CONF.157/24 (Part I), chap. III.

[35] See A/55/304.

and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

*Noting* that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

*Having considered* the report submitted by the Secretary-General[36] within the framework of the implementation of the Programme of Action,

*Recalling* its resolution 54/154 of 17 December 1999, in which it requested the Secretary-General to include in his report to the General Assembly at its fifty-fifth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action,

*Recognizing* the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

*Remaining firmly convinced* of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

*Deeply concerned* that the phenomenon of racism and racial discrimination against migrant workers continues to increase, despite the efforts made by the international community to improve the protection of the human rights of migrant workers and members of their families,

*Recalling* the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[37]

*Acknowledging* that indigenous people are at times victims of particular forms of racism and racial discrimination,

*Noting* with concern the existence of multiple discrimination, in particular against women,

*Stressing* the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

## I
## Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

1. *Welcomes* the report submitted by the Secretary-General;[36]

2. *Reaffirms* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism in all its forms and racial discrimination;

[36] A/55/285.

[37] Resolution 45/158, annex.

3. *Recognizes* that Governments implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

4. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, judicial, administrative, educational and information fields;

5. *Calls upon* all States resolutely to bring to justice the perpetrators of crimes motivated by racism and calls upon those that have not done so to consider including racist motivation as an aggravating factor for the purposes of sentencing;

6. *Requests* the United Nations High Commissioner for Human Rights to assign high priority to the follow-up to programmes and activities for combating racism and racial discrimination, consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Racial Intolerance;

7. *Requests* the Secretary-General in his reports on racism, racial discrimination, xenophobia and related intolerance to accord special attention to and provide information on the situation of migrant workers and members of their families in this regard;

8. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[37] as a matter of priority;

9. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination[30] and the Convention against Discrimination in Education;[31]

10. *Urges* all States that have not yet done so to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to achieve its universal ratification;

11. *Urges* States to limit the extent of any reservation that they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations on a regular basis with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

12. *Emphasizes* the importance of the full compliance of States parties with the obligations that they have accepted under the International Convention on the Elimination of All Forms of Racial Discrimination;

13. *Urges* all States parties to intensify efforts to meet the obligations that they have accepted under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, with due regard to the principles contained in the Universal Declaration of Human Rights[29] and to article 5 of the

International Convention on the Elimination of All Forms of Racial Discrimination, with respect to:

(a) Declaring an offence punishable by law any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination and all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof;

(b) Declaring illegal and prohibited organizations and organized and all other propaganda activities that promote and incite racial discrimination, and recognizing participation in such organizations or activities as offences punishable by law;

(c) Not permitting public authorities or public institutions, whether national or local, to promote or incite racial discrimination;

14. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and different cultures;

15. *Requests* the Secretary-General to continue to draw attention to the effects of racial discrimination on minorities and migrant workers and members of their families, especially children and women, in the fields of education, training and employment and to submit in his report specific recommendations for the implementation of measures to combat such discrimination;

16. *Recognizes* the need for adequate support and financial resources for the Third Decade to Comba. Racism and Racial Discrimination and the Programme of Action for the Third Decade, and requests the Secretary-General to include in his report to the General Assembly at its fifty-sixth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the regular budget of the United Nations and extrabudgetary sources;

17. *Expresses its appreciation* to those that have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Fund and, to this end, requests the Secretary-General to continue to establish the appropriate contacts and undertake the appropriate initiatives;

18. *Welcomes* the establishment of the racism project team in the Office of the United Nations High Commissioner for Human Rights with a view to coordinating all activities of the Third Decade;

19. *Urges* all Governments, the Secretary-General, United Nations bodies, the specialized agencies, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

20. *Requests* States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

21. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating awareness of the principles of human rights, in particular among young people, and in this regard requests the United Nations Educational, Scientific and Cultural Organization to continue its work on the preparation and dissemination of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

22. *Considers* that, in order to attain the objectives of the Third Decade, all parts of the Programme of Action should be given equal attention;

23. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action for the Third Decade and, in this regard, to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 2002-2003;

24. *Also requests* the Secretary-General to continue to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies to combat racism and racial discrimination, containing an analysis of information received on such activities;

25. *Invites* the Secretary-General to submit to the General Assembly proposals which would assist in the full implementation of the Programme of Action;

26. *Reiterates its calls upon* all Governments, United Nations bodies, the specialized agencies, intergovernmental and regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

## II
## World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

1. *Recalls* its resolutions 52/111 of 12 December 1997 and 53/132 of 9 December 1998, in which it established that the Commission on Human Rights would act as the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolution 54/154, and takes note of Commission on Human Rights resolution 2000/14 of 17 April 2000[38] and Economic and Social Council resolution 2000/21 of 28 July 2000;

2. *Welcomes* the slogan for the World Conference adopted by the Preparatory Committee,[39] namely, "United to combat racism: equality, justice, dignity";

3. *Also welcomes* the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerence,[35] and recommends that the Preparatory Committee for the World Conference give due consideration to the recommendations and suggestions contained therein;

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[38] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/3), chap. II, sect. A.

[39] A/55/307, annex I, decision PC.1/10.

4. *Requests* the Secretary-General to continue to ensure that adequate financial resources are made available for the preparatory process for the World Conference, including from the regular budget of the United Nations;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to make every effort to ensure the mobilization of resources for the voluntary fund for the World Conference to cover the participation of the least developed countries in the preparatory process and in the Conference itself, and requests all Governments, international and non-governmental organizations and private individuals to contribute to the fund;

6. *Calls upon* the High Commissioner to help States and regional organizations, upon request, to convene and finalize inclusive national and regional meetings, in close consultation with the regional groups concerned, or to take other initiatives, including activities at the expert level, to prepare for the World Conference, and urges the specialized agencies and the regional commissions, in coordination with the High Commissioner, to contribute to the convening of regional preparatory meetings;

7. *Requests* the Secretary-General, the specialized agencies and the regional commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference, and stresses that such assistance should be supplemented by voluntary contributions;

8. *Stresses the importance* of the widest possible participation of non-governmental organizations in the World Conference and the sessions of the Preparatory Committee, as well as in the regional meetings, regional expert seminars and other initiatives, including activities at the expert level, held in preparation for the World Conference;

9. *Decides* to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance at Durban, South Africa, from 31 August to 7 September 2001;

10. *Welcomes* the holding by the Council of Europe of the regional preparatory meeting at Strasbourg, France, from 11 to 13 October 2000, and the offers made by the Governments of Chile, Senegal and the Islamic Republic of Iran to convene regional preparatory meetings, within the framework of the World Conference, at, respectively, Santiago, from 4 to 7 December 2000, Dakar, from 22 to 24 January 2001, and Tehran, from 19 to 21 February 2001;

11. *Requests* the High Commissioner:

(a) To help States, upon request, and regional organizations to convene national and regional meetings or to take other initiatives, including activities at the expert level, to prepare for the World Conference;

(b) To undertake appropriate consultations with non-governmental organizations on the possibility that they might hold a forum before and partly during the World Conference and, as far as possible, to provide them with technical assistance for that purpose;

(c) To continue fund-raising activities in order to increase the resources of the voluntary fund established specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental

organizations, in particular those from developing countries, with special emphasis on those from least developed countries;

12. *Also requests* the High Commissioner, in her capacity as Secretary-General of the World Conference, to continue and intensify the activities already initiated within the framework of the world information campaign with a view to ensuring mobilization and support for the objectives of the World Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors, to inform the Preparatory Committee of developments in this regard and to assist the Preparatory Committee in:

(a) Reviewing the political, historical, economic, social, cultural and any other factors leading to racism, racial discrimination, xenophobia and related intolerance with a view to reaching a better understanding of and appraising these problems;

(b) Reviewing progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights,[29] and to reappraise the obstacles to further progress in the field and ways in which to overcome them;

(c) Considering ways and means to better the application of existing standards and the implementation of existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

(d) To increase the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance;

(e) To formulate concrete recommendations on ways in which to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

(f) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

13. *Requests* the regional preparatory processes to identify trends, priorities and obstacles at the national and regional levels, and to formulate specific recommendations for the action to be carried out in the future to combat racism, racial discrimination, xenophobia and related intolerance;

14. *Calls upon* the regional preparatory meetings to submit to the Preparatory Committee, at its second session, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in the texts of the draft final documents of the World Conference, to be prepared by the Committee;

15. *Invites* Governments to promote the participation of national institutions and local non-governmental organizations in the preparations for the World Conference and in the regional meetings and to organize debates in national parliaments on the objectives of the World Conference;

16. *Encourages* all parliaments to participate actively in the preparation of the World Conference and requests the High Commissioner to explore ways and

means of effectively involving parliaments through the relevant international organizations;

17. *Reiterates* that the World Conference should be action-oriented and adopt a declaration and a programme of action containing concrete and practical recommendations to combat racism, racial discrimination, xenophobia and related intolerance;

18. *Stresses* the importance of systematically taking a gender perspective into account throughout the preparations for and in the outcome of the World Conference;

19. *Recommends* that the particular situation of children and youth should receive special attention during the preparations for and during the World Conference, especially in its outcome;

20. *Encourages* Governments to that end and to further ensure the engagement of youth on the broader issues of racism, racial discrimination, xenophobia and related intolerance, to include youth delegates on their official delegations to the World Conference and its preparatory processes;

21. *Recommends* that special attention be accorded during the preparations for and during the World Conference itself, especially in its outcome, to the particular situation of migrants;

22. *Also recommends* that the particular situation of indigenous people receive special attention during the preparations for and during the World Conference itself, especially in its outcome, and encourages Member States to facilitate the participation of their indigenous people, inter alia, by considering including representatives of indigenous people in their delegations;

23. *Welcomes* the report of the Commission on Human Rights acting as the preparatory committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on its first session,[40] and requests the Preparatory Committee to develop in a comprehensive manner the provisional agenda, the draft declaration and the draft programme of action for the World Conference, taking into account the themes as adopted and all outstanding issues from its first session as covered in the report, as well as the contributions of all of the regional preparatory processes and other relevant initiatives;

24. *Decides* to establish an inter-sessional working group which will meet for five working days to develop further the draft agenda, draft declaration and draft programme of action for the World Conference;

25. *Also decides* to authorize the Preparatory Committee to extend its second session for up to five additional working days;

26. *Appeals* to Member States to contribute generously to the voluntary fund for the World Conference to cover the preparatory process and the Conference and the participation of non-governmental organizations from developing countries;

27. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial

[40] A/55/307.

Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur of the Commission on Human Rights on the human rights of migrants and other human rights mechanisms to participate actively in the preparatory process with a view to ensuring the success of the World Conference and to coordinate their activities in this regard with the assistance of the High Commissioner;

28. *Calls upon* States and regional organizations to continue the process of convening inclusive national and regional meetings or taking other initiatives, such as public information campaigns, to raise awareness of the World Conference as part of the preparations for the Conference;

**III**

**Proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance**

1. *Strongly reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance and, in this context, calls upon Governments, all relevant entities of the United Nations system and non-governmental organizations to observe the International Year in a suitable manner, including by means of programmes of action;

2. *Emphasizes* that the activities to be implemented within the framework of the International Year should be directed towards the preparation of the World Conference and the realization of its objectives;

**IV**

**General**

*Decides* to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of high priority at its fifty-sixth session.

• • •

27. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

## Committee on the Elimination of Racial Discrimination

The Third Committee recommends to the General Assembly that it take note of decision 1(56) of the Committee on the Elimination of Racial Discrimination[41] and that it decide to refer that decision back to the Committee for further consideration and consultation with States parties to the International Convention on the Elimination of All Forms of Racial Discrimination.

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[41] See *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 18* (A/55/18), para. 13.

United Nations A/55/601

General Assembly

Distr.: General
17 November 2000

Original: English

**Fifty-fifth session**
Agenda item 113

# Right of peoples to self-determination

## Report of the Third Committee

*Rapporteur*: Ms. Anzhela **Korneliouk** (Belarus)

## I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled "Right of peoples to self-determination" and to allocate it to the Third Committee.

2. The Third Committee held a substantive debate on the item jointly with item 112, entitled "Elimination of racism and racial discrimination", at its 26th to 30th meetings, from 18 to 20 October 2000, and took action on item 113 at its 32nd, 37th, 41st and 47th meetings, on 24, 26 and 30 October and 6 November. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/55/SR.26-30, 32, 37, 41 and 47).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/55/176 and Add.1);

(b) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/55/334).

4. At the 26th meeting, on 18 October, introductory statements were made by the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination and the Special Rapporteur on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance (see A/C.3/55/SR.26).

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5. At the same meeting, the Executive Coordinator for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance made a statement (see A/C.3/55/SR.26).

6. Also at the same meeting, the Committee engaged in a dialogue with the Special Rapporteurs and the Executive Coordinator, in which the representatives of the Libyan Arab Jamahiriya, France, Cuba, Iraq, Angola, Austria, Namibia and Kuwait took part (see A/C.3/55/SR.26).

# II. Consideration of proposals

## A. Draft resolution A/C.3/55/L.22

7. At the 32nd meeting, on 24 October, the representative of Pakistan, on behalf of Azerbaijan, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, Chile, Costa Rica, Egypt, El Salvador, Eritrea, the Islamic Republic of Iran, Iraq, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, Singapore, Thailand, Togo, the United Arab Emirates and Viet Nam, introduced a draft resolution entitled "Universal realization of the right of peoples to self-determination" (A/C.3/55/L.22). Subsequently, Armenia, Bahrain, the Comoros, the Democratic Republic of the Congo, Djibouti, the Dominican Republic, Ethiopia, Kenya, Liberia, the Niger and Nigeria joined in sponsoring the draft resolution.

8. At the 37th meeting, on 26 October, the Committee adopted draft resolution A/C.3/55/L.22 without a vote (see para. 17, draft resolution I).

9. Before the adoption of the draft resolution, a statement was made by the representative of Argentina (see A/C.3/55/SR.37).

## B. Draft resolution A/C.3/55/L.23

10. At the 32nd meeting, on 24 October, the representative of Cuba, on behalf of Algeria, Angola, Bolivia, China, Costa Rica, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Fiji, Guatemala, India, the Islamic Republic of Iran, Iraq, the Libyan Arab Jamahiriya, the Niger, Nigeria, the Russian Federation, the Sudan, Swaziland, Togo and Viet Nam, introduced a draft resolution entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination" (A/C.3/55/L.23). Subsequently, the Comoros, the Dominican Republic, El Salvador, Madagascar and Pakistan joined in sponsoring the draft resolution.

11. At its 37th meeting on 26 October, the Committee adopted draft resolution A/C.3/55/L.23 by a recorded vote of 92 to 16, with 33 abstentions (see para. 17, draft resolution II). The voting was as follows:[1]

[1] The delegation of Bulgaria subsequently indicated that it had intended to abstain and the delegation of the Philippines indicated that it had intended to vote in favour.

*In favour*:

Algeria, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gambia, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Qatar, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against*:

Belgium, Canada, Czech Republic, Denmark, Finland, Germany, Hungary, Iceland, Japan, Luxembourg, Netherlands, Norway, Poland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining*:

Andorra, Antigua and Barbuda, Australia, Austria, Croatia, Cyprus, Estonia, France, Georgia, Greece, Ireland, Italy, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Malta, Marshall Islands, Monaco, New Zealand, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

12. After the adoption of the draft resolution, a statement was made by the representative of France, on behalf of the States Members of the United Nations that are members of the European Union and Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia (see A/C.3/55/SR.37).

## C. Draft resolution A/C.3/55/L.32

13. At the 41st meeting, on 30 October, the representative of Egypt, on behalf of Afghanistan, Algeria, Andorra, Austria, Bahrain, Bangladesh, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Chile, the Congo, Costa Rica, Cuba, Cyprus, the Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, Finland, France, the Gambia, Germany, Greece, Guinea, Indonesia, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, the Lao People's Democratic Republic, Lebanon, Liberia, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Monaco, Morocco, Mozambique, Namibia, the Netherlands, the Niger, Nigeria, Norway, Oman, Pakistan, Panama, Portugal, Qatar, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, the Sudan, Suriname, Swaziland, Sweden, Tunisia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, Viet Nam, Yemen, Zambia,

Zimbabwe and Palestine, introduced a draft resolution entitled "The right of the Palestinian people to self-determination" (A/C.3/55/L.32). Subsequently, Angola, Argentina, Eritrea, Ethiopia, Ghana, Guyana, Iceland, India, the former Yugoslav Republic of Macedonia and Turkey joined in sponsoring the draft resolution.

14. At its 47th meeting, on 6 November, the Committee adopted draft resolution A/C.3/55/L.32 by a recorded vote of 147 to 2, with 3 abstentions (see para. 17, draft resolution III). The voting was as follows:

*In favour*:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against*:

Israel, United States of America.

*Abstaining*:

Canada, Marshall Islands, Tonga.

15. Before the adoption of the draft resolution, a statement in explanation of vote was made by the representative of Israel; after the adoption of the draft resolution, statements in explanation of vote were made by the representatives of Australia and Canada (see A/C.3/55/SR.47).

16. Also at the 47th meeting, statements were made by the representatives of Australia, Canada, the Russian Federation and France (on behalf of the States Members of the United Nations that are members of the European Union and Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia, as well as Iceland and Liechtenstein), and by the observer for Palestine (see A/C.3/55/SR.47).

# III. Recommendations of the Third Committee

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

## Draft resolution I
## Universal realization of the right of peoples to self-determination

*The General Assembly,*

*Reaffirming* the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[2] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

*Welcoming* the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

*Deeply concerned* at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of sovereign peoples and nations,

*Expressing grave concern* that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

*Recalling* the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation adopted by the Commission on Human Rights at its fifty-sixth[3] and previous sessions,

*Reaffirming* its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 54/155 of 17 December 1999,

*Taking note* of the report of the Secretary-General on the right of peoples to self-determination,[4]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

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[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[4] A/55/176 and Add.1.

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-sixth session under the item entitled "Right of peoples to self-determination".

## Draft resolution II
## Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

*The General Assembly*,

*Recalling* its resolution 54/151 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/3 of 7 April 2000,[5]

*Recalling also* all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, and recalling further the relevant resolutions of the Security Council and the Organization of African Unity,

*Reaffirming* the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the non-use of force or of the threat of use of force in international relations and self-determination of peoples,

*Reaffirming also* that, by virtue of the principle of self-determination, as developed in the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[6] all peoples have the right freely to determine, without external

[5] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

[6] Resolution 2625 (XXV), annex.

interference, their political status and to pursue their economic, social and cultural development and every State has the duty to respect this right in accordance with the provisions of the Charter,

*Recognizing* that mercenary activities continue to increase in many parts of the world and take on new forms, permitting mercenaries to operate in a better organized way, with increased pay, and that their numbers have grown and more persons are prepared to become mercenaries,

*Alarmed and concerned* about the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States, and also elsewhere,

*Deeply concerned* about the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from mercenary aggression and criminal activities,

*Convinced* that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly on 4 December 1989,[7] and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

*Convinced also* that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Welcomes* the report of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;[8]

2. *Reaffirms* that the recruitment, use, financing and training of mercenaries are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take the necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or to fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

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[7] Resolution 44/34, annex.

[8] A/55/334.

5. *Calls upon* all States that have not yet done so to consider signing or ratifying the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;[7]

6. *Welcomes* the cooperation extended by those countries that have received visits from the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;

7. *Also welcomes* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

8. *Invites* States to investigate the possibility of mercenary involvement whenever criminal acts of a terrorist nature occur;

9. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary assistance, both professional and financial;

10. *Recommends* that the Commission on Human Rights renew the mandate of the Special Rapporteur for a period of three years;

11. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

12. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority to be programmed in its immediate activities, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

13. *Requests* the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries, and, in this regard, strongly urges the United Nations High Commissioner for Human Rights to convene a workshop on the traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination before the fifty-seventh session of the Commission on Human Rights, so that a report on the outcome of the workshop may be presented to the Commission at its fifty-seventh session;

14. *Requests* the Special Rapporteur to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the General Assembly at its fifty-sixth session;

15. *Decides* to consider at its fifty-sixth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".

## Draft resolution III
## The right of the Palestinian people to self-determination

*The General Assembly*,

*Aware* that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in its Charter,

*Recalling* the International Covenants on Human Rights,[9] the Universal Declaration of Human Rights,[10] the Declaration on the Granting of Independence to Colonial Countries and Peoples[11] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[12]

*Recalling also* the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[13]

*Recalling further* the United Nations Millennium Declaration,[14]

*Expressing hope* for an immediate resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a final settlement between the Palestinian and Israeli sides,

*Affirming* the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including their right to a State;

2. *Expresses the hope* that the Palestinian people will soon be exercising their right to self-determination, which is not subject to any veto, in the current peace process;

3. *Urges* all States and the specialized agencies and the organizations of the United Nations system to continue to support and assist the Palestinian people in their quest for self-determination.

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[9] Resolution 2200 A (XXI), annex.
[10] Resolution 217 A (III).
[11] Resolution 1514 (XV).
[12] A/CONF.157/24 (Part I), chap. III.
[13] See resolution 50/6.
[14] Resolution 55/2.

United Nations A/55/602

General Assembly

Distr.: General
20 November 2000

Original: English

Fifty-fifth session
Agenda item 114

# Human rights questions

## Report of the Third Committee*

*Rapporteur*: Ms. Anzhela **Kornehouk** (Belarus)

## I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled:

"Human rights questions:

"(a) Implementation of human rights instruments;

"(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

"(c) Human rights situations and reports of special rapporteurs and representatives;

"(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;

"(e) Report of the United Nations High Commissioner for Human Rights"

and to allocate it to the Third Committee.

2. For its consideration of the item, the Committee had before it the following documents:

* The report of the Committee on this item will be issued in six parts, under the symbol A/55/602 and Add.1-5.

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**Item 114. Human rights questions**

Relevant sections of the report of the Economic and Social Council for 2000[1]

Letter dated 11 July 2000 from the Permanent Representatives of China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan to the United Nations addressed to the Secretary-General, transmitting, inter alia, the text of the Dushanbe Declaration, signed on 5 July 2000 by the heads of State of China, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan (A/55/133-S/2000/682)

Letter dated 18 August 2000 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General (A/55/309)

Letter dated 17 August 2000 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/55/310)

Letter dated 8 September 2000 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General, transmitting, inter alia, the Brasilia communiqué adopted on 1 September 2000 by the Presidents of the South American countries (A/55/375)

Letter dated 10 October 2000 from the Permanent Representatives of India and the Russian Federation to the United Nations addressed to the Secretary-General (A/55/473)

Letter dated 3 October 2000 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General, transmitting a statement adopted by the Islamic Group at United Nations Headquarters on 2 October 2000 (A/C.3/55/4)

**Item 114 (a). Implementation of human rights instruments**

Report of the Human Rights Committee[2]

Report of the Committee against Torture[3]

Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/55/178)

Report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/55/204)

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/55/205)

Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (A/55/207)

Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/55/208)

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[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 3* (A/55/3).

[2] Ibid., *Supplement No. 40* (A/55/40), vols. I and II.

[3] Ibid., *Supplement No. 44* (A/55/44).

Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (A/55/278)

Note by the Secretary-General transmitting the report of the persons chairing human rights treaty bodies on their twelfth meeting, held at Geneva from 5 to 8 June 2000 (A/55/206)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment (A/55/290)

Note by the Secretary-General on enhancing the long-term effectiveness of the United Nations human rights treaty monitoring system (A/55/313)

Letter dated 2 October 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the Secretary-General (A/55/438-S/2000/931)

**Item 114 (b). Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

Report of the Secretary-General on strengthening the rule of law (A/55/177)

Report of the Secretary-General on strengthening United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity (A/55/213 and Add.1 and 2)

Report of the Secretary-General on the protection of migrants (A/55/275 and Add.1)

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights (A/55/279)

Report of the Secretary-General on the right to development (A/55/283)

Report of the Secretary-General on the question of enforced or involuntary disappearances (A/55/289)

Report of the Secretary-General on the situation of human rights in Cambodia (A/55/291)

Report of the Secretary-General on human rights defenders (A/55/292)

Report of the Secretary-General on human rights and cultural diversity (A/55/296 and Add.1)

Preliminary report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights (A/55/342)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance (A/55/280 and Add.1 and Add.2)

Note by the Secretary-General transmitting the interim report of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions (A/55/288)

Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the right to development (A/55/302)

Note by the Secretary-General transmitting the report of the independent expert on the right to development (A/55/306)

Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004) (A/55/360)

Note by the Secretariat on human rights and unilateral coercive measures (A/55/214 and Add.1)

Letter dated 24 August 2000 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General, transmitting the documents adopted at the ministerial conference entitled "Towards a Community of Democracies", held at Warsaw on 26 and 27 June 2000 (A/55/328)

Letter dated 18 September 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/55/395-S/2000/880)

Letter dated 18 September 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General, transmitting a statement on West Timor issued on 7 September 2000 by the Presidency of the European Union on behalf of the Union (A/55/404-S/2000/889)

Letter dated 20 September 2000 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General, transmitting the joint statement of the Ministers for Foreign Affairs of the Convening Group of the Community of Democracies, issued in New York on 12 September 2000 (A/55/408)

Letter dated 18 September 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General, transmitting a statement issued on 8 September 2000 by the Presidency of the European Union on behalf of the Union (A/C.3/55/2)

**Item 114 (c). Human rights situations and reports of special rapporteurs and representatives**

Report of the Secretary-General on the situation of human rights in Myanmar (A/55/509)

Note by the Secretary-General transmitting the report of the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda (A/55/269)

Note by the Secretary-General transmitting the periodic report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (A/55/282)

Note by the Secretary-General transmitting the interim report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq (A/55/294)

Note by the Secretary-General transmitting the report by the independent expert on the situation of human rights in Haiti (A/55/335)

Note by the Secretary-General transmitting a brief interim report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan (A/55/346)

Note by the Secretary-General transmitting the interim report by the Special Rapporteur on the situation of human rights in Burundi (A/55/358)

Note by the Secretary-General transmitting the interim report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar (A/55/359)

Note by the Secretary-General transmitting the interim report by the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran (A/55/363)

Note by the Secretary-General transmitting the interim report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan (A/55/374)

Note by the Secretary-General on the human rights situation in southern Lebanon and western Bekaa (A/55/400)

Note by the Secretary-General transmitting the report by the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo (A/55/403)

Note by the Secretariat on the situation of human rights in the Democratic Republic of the Congo (A/55/318)

Letter dated 27 September 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/55/426-S/2000/913)

Letter dated 2 November 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/C.3/55/5)

**Item 114 (d). Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action**

Report of the United Nations High Commissioner for Human Rights[4]

Letter dated 2 October 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the Secretary-General (A/55/438-S/2000/931)

**Item 114 (e). Report of the United Nations High Commissioner for Human Rights**

Report of the United Nations High Commissioner for Human Rights[4]

[4] Ibid., *Supplement No. 36* (A/55/36)

## II. Consideration of a draft decision proposed by the Chairman

3. At its 55th and 56th meetings, on 10 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of documents considered by the General Assembly in connection with the question of human rights (see para. 4).

## III. Recommendation of the Third Committee

4. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

### Documents considered by the General Assembly in connection with the question of human rights

The General Assembly takes note of the following documents:

**Under sub-item 114 (a):**

(a) Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/55/178);

(b) Report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/55/204);

(c) Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (A/55/207);

(d) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/55/208);

(e) Note by the Secretary-General on enhancing the long-term effectiveness of the United Nations human rights treaty monitoring system (A/55/313);

**Under sub-item 114 (b):**

(a) Report of the Secretary-General on the protection of migrants (A/55/275 and Add.1);

(b) Report of the Secretary-General on the right to development (A/55/283);

(c) Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the right to development (A/55/302);

(d) Note by the Secretariat on human rights and unilateral coercive measures (A/55/214 and Add.1);

**Under sub-item 114 (c):**

(a) Note by the Secretary-General transmitting the report of the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda (A/55/269);

(b) Note by the Secretary-General transmitting the periodic report by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (A/55/282);

(c) Note by the Secretary-General transmitting the interim report by the Special Rapporteur on the situation of human rights in Burundi (A/55/358);

(d) Note by the Secretary-General on the human rights situation in southern Lebanon and western Bekaa (A/55/400);

(e) Note by the Secretariat on the situation of human rights in the Democratic Republic of the Congo (A/55/318).